

U.S. Patent Application Serial No. 10/780,602  
Amendment filed September 13, 2005  
Reply to OA dated June 14, 2005

**REMARKS**

Claim 1 has been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention. The applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated June 14, 2005.

Claims 1 - 4 are currently pending in this patent application, claim 1 being an independent claim.

At the outset, the applicants thank the Examiner for now indicating that claims 2 - 4 contain allowable subject matters, and would be allowable if rewritten in the manner suggested in the second full paragraph on page 3 of the outstanding Action. The applicants respectfully submit, however, that, for the reasons more fully discussed below, to amend the claims in the manner suggested by the Examiner would unnecessarily limit or narrow the scope of the claims to which the applicants are entitled.

As to the merits of this case, claim 1 stands rejected under 35 USC §102(e) based on Tamura (U.S. Patent No. 6,570,727). The applicants respectfully request reconsideration of this rejection.

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The applicants' claimed invention, as now set forth in independent claim 1, is directed to a data erasing apparatus for erasing data recorded on a magnetic disk contained in a magnetic disk drive. The claimed data erasing apparatus includes magnetic field generating means, having a space capable of accommodating the entire magnetic disk drive, for applying a magnetic field by means of a permanent magnet to the magnetic disk contained in the magnetic disk drive accommodated in the space; and a moving mechanism for moving the magnetic disk drive, in inserting and removing directions, in the space of the magnetic field generating means by overcoming an attraction force exerted by the magnetic field. As now further recited in independent claim 1, the claimed moving mechanism moves the magnetic disk, contained in the magnetic disk drive, at a translational motion along the space of the magnetic field generating means for erasing the data recorded on the magnetic disk.

A significant structural arrangement of the applicant's claimed data erasing apparatus, as now recited in independent claim 1, includes the moving mechanism that moves the magnetic disk, contained in the magnetic disk drive, at a translational motion along the space of the magnetic field generating means for erasing the data recorded on the magnetic disk.

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In other words, the applicants' invention is directed to a data erasing apparatus for erasing data recorded on a magnetic disk so as to prevent any risk of data leakage or the like during the recycling of a magnetic disk drive. Basically, the repulsion of permanent magnets, arranged in a vertical direction, results in the formation of a magnetic field in the horizontal direction. As such, when a magnetic disk is horizontally inserted into the area where magnetic field is formed, the data stored within the disk can be efficiently erased.

However, as explained in the last full paragraph on page 6 of the applicants' specification:

[t]he data on the magnetic disks 18 is erased utilizing the above principle but, when the components forming the magnetic disk drive 10 are magnetic substances, it is difficult to pass the magnetic disk drive 10 into the data erasing area 58 because they are attracted to the magnets.

With respect to the applicants' basic mechanism of their invention, when a handle 74 is rotated, an HDD holder 76 is caused to move rectilinearly into the space between the upper and lower magnet blocks.<sup>1/</sup> In terms of the operation of the applicants' data erasing apparatus, the HDD holder 76 moves with the plastic bearings 88 (please see, the applicants' Figure 8) sliding along the grooves of the guide frames 90, 92, and stops at the position shown in the applicants' Figure 10. As further explained in lines 25 - 31, page 8 of the applicant's specification:

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<sup>1/</sup> See, e.g., lines 25-28, page 7 of the applicants' specification.

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[t]his is [thus] the position where the engineering plastic bearings 88 strike against the ends of the grooves of the guide frames 90 and 92. From this position, when the handle 74 is rotated in the reverse direction, the HDD holder 76 is withdrawn from the space between the magnet blocks and moves back to the position shown in Figure 9.<sup>2/</sup>

Accordingly, the data recorded on the magnetic disks 18 is erased while the magnetic disk drive 10 (mounted on the HDD holder 76) is being passed through the data erasing area 58 between the upper magnet block and the lower magnet block.<sup>3/</sup>

Based on the applicants' above comments, independent claim 1 has been amended in order to more particularly recite that:

the moving mechanism moves the magnetic disk, contained in the magnetic disk drive, at a translational motion along the space of the magnetic field generating means for erasing the data recorded on the magnetic disk.

In Tamura, on the other hand, in step 706, a disk device 100 is inserted between a top portion 402 and a bottom portion 404 of erasing apparatus 400 in order to expose the disks to the fixed direction magnetic field for erasing the information recorded on the disks, as shown in Tamura's Figure 6B. In Tamura's step 712, disk rotation is stopped, and the erasing operation of the information on the disks is completed.

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<sup>2/</sup> See, lines 22-31, page 8 of the applicants' specification.

<sup>3/</sup> See, lines 5-9, page 9 of the applicants' specification.

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That is, in Tamura, the erasure of the information recorded on the disk occurs upon the rotation thereof, and not through the magnetic field upon a translational motion thereof, the later being now set forth in the applicants' claimed data erasing apparatus (as now recited amended independent claim 1).

Accordingly, the applicants submit that their claimed invention is not anticipated by Tamura. Tamura does not disclose the magnetic field generating means having a space capable of accommodating the entire magnetic disk drive. The magnetic section 920 disclosed by Tamura does not have a space capable of accommodating the entire disk device 100, but partially accommodates the disk device 100. This is clear from Tamura's Figure 6B and the fact that the probe pins 916 supplying the power to the spindle motor of the disk device to rotate the disks (see, column 4, lines 56 to 60 in Tamura) are arranged outside the magnetic section 920 (see, Tamura's Figure 9). That is, in Tamura, the erasure of the information recorded on the disk occurs upon the rotation thereof. Therefore, the magnetic section of Tamura cannot have a space capable of accommodating the entire disk.

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Accordingly, since not all of the claimed elements, as now set forth in independent claim 1, are found in exactly the same situation and united in the same way to perform the identical function in Tamura's device, there can be no anticipation of the applicants' claimed invention under 35 USC §102(e) based on Tamura (U.S. Patent No. 6,570,727).

In view of the above, the withdrawal of the outstanding anticipation rejection under 35 USC §102(e) based on Tamura (U.S. Patent No. 6,570,727) is in order, and is therefore respectfully solicited.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

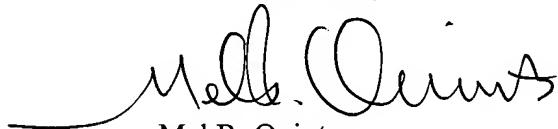
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,  
HANSON & BROOKS, LLP



Mel R. Quintos  
Attorney for Applicants  
Reg. No. 31,898

MRQ/lrj/ipc

Atty. Docket No. **040064**  
Suite 1000  
1725 K Street, N.W.  
Washington, D.C. 20006  
(202) 659-2930



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